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# LAW

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| MADHYA PRADESH | CHHATTISGARH

| UTTARAKHAND | UTTAR PRADESH

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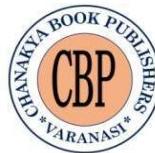
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**SOLVED PAPERS**  
*of*  
**ASSISTANT PROFESSOR**

**LAW**

By  
Dr. P.K. Pandey



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## PREFACE

*"Though teaching is the last choice in the job market, the role of teachers is central to all processes of formal education. The teacher alone could bring out the skills and intellectual capabilities of students. He is the 'engine' of the educational system. He is a principal instrument in awakening the child to cultural values."*

**-Supreme Court of India**

The above lines have been taken from *Andhra Kesari Education Society v. Director of School Education*, (1989) 1 SCC 392 wherein Hon'ble Supreme Court has specifically mentioned the importance of teachers. The teachers play pivotal role in moulding the career, character and moral fibres and aptitude for educational excellence in impressive young students. In this circumstance, the responsibilities on teachers are more and more. To discharge such responsibilities, the teachers must be selected properly, by providing opportunity to meritorious candidates to serve the society.

The present book has been prepared to provide previous question papers to the candidates appearing in examinations of Assistant Professor of Law to be conducted by the Public Service Commissions or Higher Education Commissions. The purpose of this book is to well-acquaint the students regarding pattern of examination paper. Additionally, every question is solved with detailed explanation. Hope that it will serve the purpose. Though due care has been taken from the author, typist, printer and publisher but mistakes cannot be completely ruled out.

In preparing this book, I have received immense technical and academic help from my daughter Shruti. Next, if the help extended by Shivansh, Prashansa, Shreya, Suryansh, Priyansh and Divyansh is not acknowledged, it will be unjustified.

The constructive suggestions are most welcome at:  
[chanakyabookpublishers@gmail.com](mailto:chanakyabookpublishers@gmail.com)

Dr. P.K. Pandey

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# **RAJASTHAN**

## **COLLEGE LECTURER (LAW)**

### **EXAMINATION, 2014**

[Held by Rajasthan Public Service Commission on 27-06-2016]

#### **Paper-I**

**1. Which one of the following is the source of the Constitution of India?**

- (A) The Constituent Assembly
- (B) The British Parliament
- (C) The People of India
- (D) The Parliament

**Ans. (C) The People of India**

*Explanation:* The People of India is the source of the Constitution of India.

**2. In which of the following cases, it was decided that Preamble is a part of the Constitution of India?**

- (A) *In re Berubari Union & Exchange of Enclave*
- (B) *Keshavananda Bharti V. State of Kerala*
- (C) *Golak Nath V. State of Punjab*
- (D) *Kunj Bihari Lal V. Union of India*

**Ans. (B) Keshavananda Bharti V. State of Kerala**

*Explanation:* In *Keshavananda Bharti v. State of Kerala*, (1973) 4 SCC 225 it was decided that Preamble is a part of the Constitution of India.

**3. Which new clause was added to Article 13 by a Constitutional Amendment of 1971?**

- (A) Clause (2)
- (B) Clause (3)
- (C) Clause (2) and Clause (3)
- (D) Clause (4)

**Ans. (D) Clause (4)**

*Explanation:* Article 13 (4) was added by the Constitution (Twenty-fourth Amendment) Act, 1971, s. 2 (w.e.f. 5-11-1971).

**4. Article 15 of the Constitution does not prohibit discrimination on which of the following grounds?**

- (A) Religion
- (B) Race
- (C) Caste
- (D) Residence

**Ans. (D) Residence**

*Explanation:* Article 15 deals with prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

**5. Which Constitutional Amendment enabled the legislature to impose reasonable restrictions on the freedom of speech in the interest of sovereignty and integrity of India?**

- (A) 1st Amendment
- (B) 16th Amendment
- (C) 24th Amendment
- (D) 42nd Amendment

**Ans. (B) 16th Amendment**

*Explanation:* It was added by the Constitution (Sixteenth Amendment) Act, 1963, s. 2 (w.e.f. 5-10-1963).

**6. In which one of the following cases, Bhagwati, J. propounded a new approach of "reasonableness" for the first time:**

- (A) *E.P. Royappa V. State of Tamil Nadu*
- (B) *State of West Bengal V. Anwar Ali*
- (C) *Indira Sawhney V. Union of India*
- (D) *Maneka Gandhi V. Union of India*

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# **GUJARAT**

## **ASSISTANT PROFESSOR (LAW)**

### **EXAMINATION, 2017**

[Conducted by Gujarat Public Service Commission on 02-04-2017]

- 1. In order to interpret the Constitutional provisions, it is cardinal rule to look to the Preamble of the Constitution as the guiding star and the directive principles as the book of Interpretation. In which of the following cases this observation was made?**

- (A) Ashok Kumar Thakur v. Union of India (AIR 2008 SC (Suppl.) 1)  
(B) Chandrabhavan v. State of Mysore (AIR 1970 SC 2042)  
(C) I.R. Coelho v. State of Tamil Nadu (AIR 2007 SC 861)  
(D) L. Chandra Kumar v. Union of India (9199703 SCC 261)

**Ans. (A) Ashok Kumar Thakur v. Union of India (AIR 2008 SC (Suppl.) 1)**

*Explanation:* Actually, the said as given in question was given by Supreme Court *Atam Prakash v. State of Haryana*, 1986 SCR (1) 399. Again Supreme Court in *Ashoka Kumar Thakur v. Union of India*, (2008) said that when a constitutional provision is interpreted, the cardinal rule is to look to the Preamble to the Constitution as the guiding star and the Directive Principles of State Policy as the 'Book of Interpretation'. The Preamble embodies the hopes and aspirations of the people and Directive Principles set out the proximate grounds in the governance of this country.

- 2. Is it permissible for a citizen to waive his fundamental rights**

**under the Constitution of India?**

- (A) Yes  
(B) No  
(C) Citizen of India can waive some fundamental rights  
(D) All Fundamental rights can be waived only for temporary period

**Ans. (B) No**

*Explanation:* It is not open to a citizen to waive his fundamental rights conferred by Part 3 of the constitution. Supreme Court in *Basheshwar Nath v. IT Commissioner*, 1959 SCR Supl. (1) 528 held that fundamental rights cannot be waived.

**3. Which of the following Articles gives protection to the accused against self-incrimination?**

- (A) Article 22  
(B) Article 20(2)  
(C) Article 20(3)  
(D) Article 32

**Ans. (C) Article 20(3)**

*Explanation:* Article 20 (3) says that no person accused of any offence shall be compelled to be a witness against himself.

**4. When a writ is issued to quash and set aside the order of an inferior court on the grounds of "acts in excess of their legal authority", it is called writ of \_\_\_\_\_.**

- (A) Habeas Corpus  
(B) Quo-Warranto  
(C) Mandamus  
(D) Certiorari

**Ans. (D) Certiorari**

# **TAMIL NADU**

## **ASSISTANT PROFESSOR (LAW)**

### **EXAMINATION, 2012**

[Conducted by Tamil Nadu Public Service Commission]

**1. 'Pure Theory of Law' was propounded by**

- (A) Austin
- (B) Salmond
- (C) Kelson
- (D) Herbert Spencer

**Ans. (C) Kelson**

*Explanation:* This theory, propounded by Kelson, is known as Vienna School also.

**2. According to Austin improper laws include**

- (A) Laws by analogy
- (B) Laws by metaphor
- (C) Both (A) & (B)
- (D) None of these

**Ans. (C) Both (A) & (B)**

*Explanation:* John Austin divided law into law in the proper sense (properly so-called) and in the improper sense (improperly so-called). Improper laws include analogy (the laws of physics, growth of plants, or the laws that rule animal behavior) and metaphor.

**3. Which of the following book is written by Prof. Hart?**

- (A) The Concept of Law
- (B) On Parliamentary Government
- (C) The Province of Jurisprudence
- (D) The Limits of Jurisprudence

**Ans. (A) The Concept of Law**

*Explanation:* 'The Concept of Law', published in 1961, is a very famous work of jurist H. L. A. Hart.

**4. 'Province of Jurisprudence' was written by**

- (A) Holland
- (B) Austin
- (C) Bentham
- (D) Kent

**Ans. (B) Austin**

*Explanation:* 'The Province of Jurisprudence Determined' is written by John Austin which was published in 1832, in which he dealt with the 'command theory'.

**5. Which of the following, according to Savigny, are the elements of possession?**

- (A) Corpus possessions
- (B) Animus possidendi
- (C) Both (A) and (B)
- (D) None of these

**Ans. (C) Both (A) and (B)**

*Explanation:* As per Savigny, the possession consists two elements—corpus possessionis, i.e., physical control, and animus domini, i.e., an intention to hold as owner.

**6. Persuasive Precedents are**

- (A) legal source of law
- (B) historical source of law
- (C) natural source of law
- (D) none of the above

**Ans. (B) historical source of law**

*Explanation:* Persuasive precedents are historical sources of law.

**7. The custom whose authority is conditional and on its acceptance and incorporation in agreements between parties is-**

- (A) legal custom
- (B) conventional custom
- (C) local custom
- (D) general custom

**Ans. (B) conventional custom**

*Explanation:* The conventional custom is not operative per se; the terms of the custom should be

# KERALA

## COLLEGIATE EDUCATION (LECTURER IN LAW) EXAMINATION, 2015

[Conducted by Kerala Public Service Commission on 23.12.2015]

1. ‘Represent India’ is a famous work written by

(A) G.P. Pillai  
(B) Balakrishna Pillai  
(C) P. Krishna Pillai  
(D) T.K. Madhavan

**Ans. (A) G.P. Pillai**

*Explanation:* Representative Indians was written by G. P. Pillai in 1897.

2. Name the play written by Swadeshabhimani Ramakrishna Pillai

(A) Thottilla  
(B) Professor  
(C) Jethakkal  
(D) Nizhalukal

**Ans. (D)Nizhalukal**

*Explanation:* Nizhalukal is written by Swadeshabhimani Ramakrishna Pillai.

3. In which district of Kerala firstly started the Kudumbasree project?

(A) Thiruvananthapuram  
(B) Malappuram  
(C) Alappuzha  
(D) Kannur

**Ans. (C) Alappuzha**

*Explanation:* Kudumbashree Mission is popularly called Ayalkootams which is the Malayalam term for neighborhood meetings or assemblies. The origins of the Ayalkootam lies in a 1970s experiment led by D Pankajakshan, a Gandhian teacher, in Kanjippadam village in Alappuzha District.

4. In which year Sahodaran Ayyappan became the editor of the magazine Yukthivadi

(A) 1928  
(B) 1910  
(C) 1921  
(D) 1917

**Ans. (A) 1928**

*Explanation:* Sahodaran Ayyappan became the editor of the magazine Yukthivadi in 1928. Yukthivadi was the first rationalist/atheist journal published in Malayalam.

5. Malayalam translation of Rubaiyat by G. Sankara Kuruppu is

(A) Vilasalathika  
(B) Madanotsavam  
(C) Jeevithotsavam  
(D) Vilasalahari

**Ans. (D) Vilasalahari**

*Explanation:* ‘Vilasalahari’ is a translation of the Persian poem Rubáiyát by Omar Khayyám.

6. Who characterised Kumaranasan as the poet of renaissance?

(A) M. Leelavathi  
(B) ThayatSankaran  
(C) Mundasseri  
(D) Edasseri

**Ans. (B) ThayatSankaran**

*Explanation:* Thayat Sankaran characterised Kumaranasan as the poet of renaissance and poet of revolution.

7. Janamma a socio reformer was the wife of ----- who was well-known social reformer and Renaissance leader.

**Kerala**

- (B) The disability on female heirs to ask for partition in respect of a dwelling house wholly occupied by a joint family until the male heirs choose to divide their respective shares therein has been removed  
(C) Both the above  
(D) None of the above

**Ans. (C) Both the above**

*Explanation:* By the 2005 amendment Act, the concept of coparcenary has been removed.

**95. Which one of the following statements correctly describes the role of a "mediator"?**

- (A) Helps the parties to reach a settlement  
(B) Makes a settlement binding on the parties  
(C) Chooses between the alternatives suggested by the parties  
(D) All the above

**Ans. (A) Helps the parties to reach a settlement**

*Explanation:* The mediator helps the parties to reach at a settlement.

**96. The Arbitration and Conciliation Act, 1996 is based on:**

- (A) International Commercial Arbitration Guidelines  
(B) UNCITRAL Model Law  
(C) Constitution of India  
(D) Report of the Lok Sabha Committee on Arbitration and Conciliation

**Ans. (B) UNCITRAL Model Law**

*Explanation:* Arbitration and Conciliation Act, 1996 is based on UNCITRAL Model Law.

**97. The form of Alternate Dispute Resolution wherein the parties hire someone to review the evidence and make a decision that is binding upon the parties is called:**

- (A) Arbitration  
(B) Conciliation  
(C) Mediation  
(D) Negotiation

**Ans. (A) Arbitration**

*Explanation:* The form of Alternate Dispute Resolution wherein the parties hire someone to review the evidence and make a decision that is binding upon the parties is called arbitration.

**98. An arbitration agreement under section 7 of the Arbitration and Conciliation Act, 1996:**

- (A) Shall be in writing  
(B) Shall be in writing and registered  
(C) May be oral  
(D) No agreement is necessary

**Ans. (A) Shall be in writing**

*Explanation:* An arbitration agreement under section 7 of the Arbitration and Conciliation Act, 1996 shall be in writing

**99. The provisions relating to which of the following has been introduced for the first time in India by the Companies Act, 2013?**

- (A) One person company  
(B) Electronic voting  
(C) Participation in Board meetings through video conferencing  
(D) All of the above

**Ans. (D) All of the above**

*Explanation:* One person company- Sec. 2 (62); Electronic voting- Sec. 2 (65); Participation in Board meetings through video conferencing- Sec. 173 (2).

**100. Which school of jurisprudence stresses on the "politics of law" so as to be described as "legal leftism"?**

- (A) American Realism  
(B) Critical Legal Studies Movement  
(C) Liberal Legalism  
(D) Feminist Legal Criticism

**Ans. (B) Critical Legal Studies Movement**

*Explanation:* Critical legal studies is the first movement in legal theory and legal scholarship in the United States to have espoused a committed Left political stance and perspective.

\*\*\*

# MADHYA PRADESH

## ASSISTANT PROFESSOR

### EXAMINATION, 2017

[Conducted by Madhya Pradesh Public Service Commission]

**1. In India Political Sovereignty lies in :**

- (A) Indian Constitution
- (B) The people of India
- (C) Indian Parliament
- (D) The President of India

**Ans. (B) The people of India**

*Explanation:* In India Political Sovereignty lies in the people of India.

**2. Mark the incorrect match.**

- (A) Finance Commission - Art. 280
- (B) Power of Parliament to amend the constitution - Art. 368
- (C) High court for states - Art. 210
- (D) Public Service Commission - Art. 315

**Ans. (C) High court for states - Art. 210**

*Explanation:* Article 210 deals with language to be used in the Legislature.

**3. Mark the incorrect statement:**

- (A) Preamble is a part of the constitution of India (Kesavanand Bharati Case, 1973)
- (B) Preamble is not part of the constitution of India (A.K. Gopalan Case, 1950)
- (C) Preamble to the constitution of India should read with the directive principles of state policies
- (D) Preamble is a basic structure of the constitution (In re Berubari Case, 1960)

**Ans. (D) Preamble is a basic structure of the constitution (In re Berubari Case, 1960)**

*Explanation:* As the concept of basic structure is evolved in Kesavanand Bharti case in 1973, this concept cannot exist in 1960 in *In re Berubari Case*.

**4. Under Article 12 of the constitution of India the term "State" includes:**

- (A) The Government and Parliament of India
- (B) The Government and the Legislature of each of the States
- (C) All local and other authorities within territory of India
- (D) All of these

**Ans. (D) All of these**

*Explanation:* State is defined in Article 12.

**5. Which of the following pair is not correct:**

- (A) The Vice President of India - Art. 63
- (B) Abolition of untouchability - Art. 17
- (C) Protection of interests of minorities - Art. 29
- (D) Rights to property - Omitted by 42nd amendment Act, 1976

**Ans. (D) Rights to property - Omitted by 42nd amendment Act, 1976**

*Explanation:* Rights to property is omitted by 44<sup>th</sup> Constitution (Amendment) Act, 1978.

**6. In which year the fundamental duties inserted in the Indian Constitution?**

- (A) 1975
- (B) 1976

# **CHHATTISGARH**

## **ASSISTANT PROFESSOR (LAW)**

### **EXAMINATION, 2014**

**[Conducted by Chhattisgarh Public Service Commission on 21st May, 2016]**

#### **Law**

**1. The words “Unity and Integrity of the Nation” in the preamble were substituted for:**

- (A) Unity of the units
- (B) Integrity of the nation
- (C) Unity of the nation
- (D) Unity and integrity of its subject
- (E) Unity of the states

**Ans. (C) Unity of the nation**

*Explanation:* For “unity of the Nation”, “unity and integrity of the Nation” was substituted by the Constitution (Forty-second Amendment) Act, 1976.

**2. Which article under the Directive Principles of State Policy supports right to free legal aid?**

- (A) Art. 39(A)
- (B) Art. 38 (A)
- (C) Art. 42
- (D) Art. 43
- (E) Art. 46

**Ans. (A) Art. 39(A)**

*Explanation:* Equal justice and free legal aid is provided in Article 39A.

**3. The President of India is required to exercise his powers on the aid and advice of:**

- (A) Council of Ministers
- (B) The Prime Minister
- (C) The Union Cabinet
- (D) The Parliament

- (E) The Cabinet and the Supreme Court

**Ans. (A) Council of Ministers**

*Explanation:* As per Article 74 (1) there shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act in accordance with such advice.

**4. Which is not a fundamental duty under Indian Constitution?**

- (A) To uphold and protect the sovereignty, unity and integrity of India
- (B) To value and preserve the rich heritage of our composite culture
- (C) To develop the scientific temper, humanism and the spirit of inquiry and reform
- (D) To safeguard public property
- (E) To participate in general election

**Ans. (E) To participate in general election**

*Explanation:* Fundamental duties are given in Article 51A.

**5. In which of the following cases, it was questioned that the parliament has the power to cede territory of India in favour of a foreign state?**

- (A) Minerva Mills vs. Union of India

# **CHHATTISGARH**

## **ASSISTANT PROFESSOR (LAW)**

### **EXAMINATION, 2016**

[Conducted by Chhattisgarh Public Service Commission on 28th September, 2016]

#### **General Knowledge**

##### **1. Match List 1 with List 2.**

	List 1 (officers of pargana system)	List 2 (Duties)
A.	Kamvisdar	1. In-charge of income and expenditure of pargana
B.	Phadanvis	2. Head of pargana administration
C.	Gaontia	3. Information about general condition of pargana
D.	Badkar	4. Village headman

- (A) A-1 B-3 C-2 D-4  
(B) A-2 B-1 C-4 D-3  
(C) A-3 B-1 C-4 D-2  
(D) A-4 B-2 C-1 D-3  
(E) None of the other options

**Ans. (B) A-2 B-1 C-4 D-3**

*Explanation:* Kamvisdar- Head of pargana administration; Phadanvis-In-charge of income and expenditure of pargana; Gaontia- Village headman; Badkar- Information about general condition of pargana.

##### **2. Read the following statements.**

- 1. In the beginning Chhattisgarh division consisted of Raipur, Bilaspur and Sambalpur districts.**
- 2. In 1905 Sambalpur district was transferred to Bengal province.**
- 3. Same year a new district Thug was carved out of Raipur district.**

##### **Select the correct answer.**

- (A) 1, 2 and 3 is correct  
(B) 1 and 2 are correct  
(C) 2 and 3 are correct

- (D) 1 and 3 are correct

- (E) None of the other options

**Ans. (A) 1, 2 and 3 is correct**

*Explanation:* Sambalpur City is the connecting city between Chhattisgarh and Odisha.

**3. Who of the following was the only representative of Chhattisgarh in the Bombay session of Indian National Congress in 1889?**

- (A) Madhav Rao Sapre  
(B) Waman Rao Lakhe  
(C) Narayan Rao Meghawale  
(D) Yadav Rao Tamaskar  
(E) None of the other options

**Ans. (B) Waman Rao Lakhe**

*Explanation:* Waman Rao Lakhe was the only representative of Chhattisgarh in the Bombay session of Indian National Congress in 1889.

**4. Who of the following from Chhattisgarh did not participate in the elections of Central Provinces Legislative council in 1923 from the Swaraj Party?**

- (A) Dr. E. Raghawendra Rao  
(B) Pt. Ravishankar Shukla  
(C) Pt. Sunderlal Sharma  
(D) Shrivdas Daga  
(E) Thakur Chhedilal

**Ans. (C) Pt. Sunderlal Sharma**

*Explanation:* Sunderlal Sharma from Chhattisgarh did not participate in the elections of Central Provinces Legislative council in 1923 from the Swaraj Party.

##### **5. Read the following statements.**

- From 6 to 13 April 1930 'Total Swaraj Week' was observed in Chhattisgarh.

## Uttar Pradesh

- (C) Section 228 IPC
- (D) Section 228A IPC

### Ans. (D) Section 228A IPC

*Explanation:* Sec. 228A IPC deals with disclosure of identity of the victim of certain offences, etc.

### 97. Inadequacy of consideration is relevant in determining the question of:

- (A) performance of contract
- (B) contingency of contract
- (C) free consent
- (D) None of the above

### Ans. (C) free consent

*Explanation:* Explanation 2 attached with section 25 Contract Act mentions that the inadequacy of the consideration may be taken into account by the Court in determining the question whether the consent of the promisor was freely given.

### 98. Who amongst the following was of the opinion that binding force of international law is based on a fundamental principle known as '*pacta sunt servanda*'?

- (A) Anzlloti
- (B) Brierly
- (C) Oppenheim
- (D) Bentham

### Ans. (A) Anzlloti

*Explanation:* Anzlloti was of the opinion that binding force of international law is based on a

fundamental principle known as '*pacta sunt servanda*'.

### 99. In which of the following cases, the principles laid down by International Court of Justice found place in the conventional law?

- (A) Right of Passage case between Portugal and India .
- (B) North Sea Continental Shelf cases
- (C) Temple of Preah Vihaer case
- (D) Asylum case

### Ans. (B) North Sea Continental Shelf cases

*Explanation:* In North Sea Continental Shelf cases (*Germany v. Denmark and the Netherlands*, [1969] ICJ 1) a series of disputes came to the International Court of Justice in 1969.

### 100. Which one of the following is not the modern source of Hindu Law?

- (A) Equity, justice and good conscience
- (B) Precedent
- (C) Legislation
- (D) Customs

### Ans. (D) Customs

*Explanation:* Custom is the ancient source of Hindu Law.

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